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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/519,115	12/23/2004	Renaud Dore	PF020081	9384
24498 7590 05/22/2007 JOSEPH J. LAKS, VICE PRESIDENT THOMSON LICENSING LLC PATENT OPERATIONS PO BOX 5312 PRINCETON, NJ 08543-5312			EXAMINER MILLER, BRANDON J	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 05/22/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.		Applicant(s)	
	10/519,115		DORE ET AL.	
	Examiner		Art Unit	
	Brandon J. Miller		2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hull (US 7,136,644 B2) in view of Norman et al. (US 7,082,535 B1).

Regarding claim 1 Hull teaches a method of creation of a new communication network by a wireless terminal (see col. 3, lines 32-36). Hull teaches a wireless terminal initially being part of an existing centralized network that includes an access point able to control the association of wireless terminals to its network (see col. 3, lines 11-22). Hull teaches initiation of a procedure for creating a new network including a declaration of the terminal as access point of the new network, where the operating parameters of the new network are such that communications on the new network do not interfere with the existing network (see col. 3, lines 32-52 and col. 5, lines 22-30). Hull does not specifically teach disassociation of the terminal from the network. Norman teaches dissociation of a terminal from a communication network (see col. 4, lines 46-48). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include disassociation of the terminal from the network because this would allow for an improved method for controlling service acquisition in a wireless local area network device.

Regarding claim 2 Norman teaches initiating disassociation in at least one of the following cases: frequency change rejection by the access point of the existing network following a request from the terminal; or connection establishment rejection by the access point of the existing network following a request from the terminal (see col. 4, lines 18-22).

Regarding claim 3 Norman teaches wherein the access point of the existing network initiates the disassociation (see col. 4, lines 18-22).

Regarding claim 4 Hull teaches a wireless terminal including an interface with a communication medium, a microprocessor and a memory, which terminal additionally includes in its memory a program comprising a program adapted to perform instructions (see col. 5, lines 22-30). Hull teaches initiation of a procedure for creating a new network including a declaration a terminal as access point of a new network, where the operating parameters of the new network are such that communications on the new network do not interfere with the existing network (see col. 3, lines 32-52 and col. 5, lines 22-30). Hull does not specifically teach performing a disassociation of the terminal from the network. Norman teaches dissociation of a terminal from a communication network (see col. 4, lines 46-48). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include disassociation of the terminal from the network because this would allow for an improved method for controlling service acquisition in a wireless local area network device.

Regarding claim 5 Hull and Norman teach a device as recited in claim 2 and is rejected given the same reasoning as above.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the network" in line 6. Because applicant discloses a "new communication network" and "an existing centralized network" earlier in the claim, it is unclear as to which network, "the network" is referring to. Therefore the claim is rendered indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 recites the limitation "the communication medium" in 2. There is insufficient antecedent basis for this limitation in the claim.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tejaswini et al. US 2005/0071476 A1 discloses an access point association history in wireless networks.

Jang et al. US 2005/0003856 A1 discloses a local communication system and method in wireless communication system.

Paredes et al. US 2002/0119683 A1 discloses a PC card configuration.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J. Miller whose telephone number is 571-272-7869.

The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



May 14, 2007



GEORGE ENG
SUPERVISORY PATENT EXAMINER